



# Claims Administrators and Continuing Education

## Self-Insurance Claims Adjudication Guidelines

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## Third-Party Administrator (TPA) Licensing

[RCW 51.14.170](#), [WAC 296-15-520](#), [WAC 296-15-530](#), [WAC 296-15-540](#)

Effective July 1, 2021, changes to licensing requirements were put into place. These new requirements are the result of Senate House Bill 2409 passing legislation. Self-insured employers may choose to have their claims managed by a third party administrator (TPA) or they may elect to manage their own claims. Third-party administrators managing claims for workers of self-insured employers are required to be licensed by the department. The passing of Senate House Bill 2409 also increased penalty amounts that can be assessed should the TPA or self-insured employer not abide by the RCWs and WACs.

The requirements to be a licensed third party administrator are:

- The business entity must have a current business license in the state of Washington
- The business must demonstrate it meets the requirements for handling claims under [WAC 296-15-350](#)
- The business must comply with the reporting requirements in accordance with [Title 51 RCW](#)
- Complete and submit the department-developed application
- Provide a list of the self-insured employers with whom they are contracted
- Provide a list of their certified claims administrators, and
- Provide a list of their claim administrators in the process of obtaining their certification in accordance with [WAC 296-15-360](#).

The department will respond within 30 calendar days with the status of the TPA's license request.

Once licensed, all TPAs must submit a license renewal application annually to the department on the department-developed application. The TPAs also need to submit the following items with the renewal application:

- An updated list of the self-insured employers with whom they are contracted
- An updated list of their certified claims administrators
- An updated list of their claims administrators in the process of obtaining their certification.

The department will review the renewal application and ensure the TPA is in compliance with the requirements outlined in [WAC 296-15-520](#) and [WAC 296-15-550](#). A provisional status may be added to the TPAs license if they fail to renew annually per [WAC 296-15-570](#).

## Claims Administrator Certification

[WAC 296-15-350](#), [WAC 296-15-360](#)

Effective July 1, 2021, any person making claims decisions must be a certified claims administrator ([WAC 296-15-350](#)).

While an office assistant who only sends letters and does not make the decisions referenced in the letters is not required to be certified, they still need to be under the direction of a certified claims administrator who would be the signer on the letter. These assistants are not required to take the goal-oriented curriculum.

Excluded from the requirement are those persons who manage operations indirectly in support of claims administrators, e.g., human resources, accounting, or executive management.

If a new employee is hired by a TPA or a self-administered employer and they are not certified, the new person within 6-months of hire, must begin working towards certification through a [comprehensive goal-oriented core curriculum](#). The certification must be achieved within two years.

If a self-administered employer or TPA no longer meets the requirement for certified claims administrators due to staffing changes, they must apply for a temporary waiver from the department.

## Changes in Contact Information or Work Location

Certified claims administrators must update the self-insurance claims administrator tracking system (SI-CATS) within 30 calendar days of any change in mailing address or work location.

## Core Curriculum Requirement

[WAC 296-15-360](#)

The comprehensive goal-oriented core curriculum provides a strong foundation for a workers' compensation professional. It is a 72-hour series of courses focused on four core categories:

- Claim validity
- Medical benefit management
- Compensation management

- Work disability prevention

Each category must include all phases of basic, intermediate, and advanced learning.

**Basic:** Individuals form the essential foundation or starting point. This means beginning knowledge which includes introduction of the core principals of the workers' compensation system, such as paying for wages when a worker is not able to work, basic concepts (such as prima facie), basic medical terms, and paying for medical bills. Upon completing the basic phase, the learner will be able to do routine tasks in the administration of workers' compensation.

**Intermediate:** Individuals will learn increasingly complex tasks. The learner will be beginning to mentor entry level (basic) learners. The intermediate learner is still actively being mentored by more senior (advanced) learners. Intermediate training includes complex medical terms and conditions, mental health, claims with extensive injuries or occupational disease, multiple rates of wage calculations, or payments spanning multiple claims.

**Advanced:** The professional designation is almost complete. The learner will have the knowledge, skills, and abilities to guide both basic and intermediate learners in concepts and adjudication matters. Advanced learning should be targeted on the most complex adjudicative tasks. Upon completion of advanced training, individuals will have competency in claims management.

## Claim Validity

- Medical terms and conditions
- Claims with extensive injuries or occupational disease
- Causal relationship of injury or illness
- Prima facie consideration
- Submittal of claims to department

## Medical Benefit Management

- Treatment authorization
- Surgery approval
- Aggravation of conditions
- Segregation of conditions
- Use of consultations and independent medical examinations (IMEs)

- Department medical guidelines

## **Compensation Management**

- Determining the wage as the basis of compensation
- Payment of temporary total disability payments
- Permanent partial disability payments
- Loss of earning power compensation

## **Work Disability Prevention**

- Worker-centric return to work practices
- Modified or light duty jobs
- Other vocational recovery interventions
- Medical provider collaboration on return to work
- Activity prescription forms
- Job analyses

## **Continuing Education Requirement**

[WAC 296-15-350](#), [WAC 296-15-360](#)

Continuing education is a requirement for certified claims administrators. Continuing education courses are designed to increase knowledge or skills regarding the administration of workers' compensation claims under Title 51 RCW.

Certified claims administrators must maintain certification through continuing education over a three-year cycle that begins on the date of their certification. All continuing education credits earned within the three-year period will apply to the current cycle ([WAC 296-15-360](#)).

## **Continuing Education Cycle**

Credits are earned in the following subject areas in accordance with [WAC 296-15-350](#):

- Instruction on relevant workers' compensation subjects that help injured workers heal and return to work, and focus on areas of recovery such as, but not limited to, medical benefit management, payment of compensation, and vocational services;
- Instruction on existing or historical workers' compensation statutes, case laws, rules, or departmental policies, which may assist with managing claims, answering questions, and addressing concerns in accordance with [WAC 296-15-350\(5\)](#);
- Instruction on new developments in workers' compensation such as, but not limited to, changes in statute, case law, rule, or departmental policy, which may assist claims management personnel in remaining current in accordance with [WAC 296-15-350\(6\)](#).

Credits may also be earned in injury prevention and safety, in addition to credits for injury recovery and claims administration, but not to exceed five of the forty-five credits in three years.

If a certified administrator does not earn 45 continuing education credits within the three-year cycle, they will be required to retake the written test to retain department certification.

## **Mandatory Classes**

Certain classes are designated by the department as mandatory. In order to maintain certification through continuing education, certified administrators must attend all mandatory classes.

Classes given by the department that address important changes such as new statutes, rules or case laws are likely to be designated as mandatory. Notifications of upcoming mandatory classes are provided through the [GovDelivery](#).

## **Reporting of Credits**

A certified claims administrator must report earned continuing education credits to the department. To report:

- Track and report earned credits on the department's online database, the Self-Insurance Claims Administrator Tracking System (SI-CATS).
- Send documentation to the department using the [Self-Insurance Continuing Education Report of Course Completion](#) form (F207-191-000).
  - Verification of course completion must be submitted to the department by the deadline. No extensions will be authorized.
- Obtain and retain signed verification of all courses attended.

Update your SI-CATS account to report course completion prior to submitting the form. Send the completed form and a copy of your certificate of completion to the department.

By updating your account and sending in a report of completion for courses as you take them, you will be able to track your progress toward completion of the continuing education requirements.

If you attend a course that has not been approved for continuing education credits, you can apply for credit using the [Self-Insurance Continuing Education Application for Course Approval and Attendance](#) form (F207-206-000). Send the completed form and required documentation to the department. Once the course is approved, update your account and send in the attendance documentation.

## Submitting a Course for Approval

Course sponsors and instructors can request continuing education credit approval by submitting the [Self-Insurance Continuing Education Sponsor/Instructor Application for Course Approval](#) form to the department with a training plan or agenda and a detailed outline of each area of training. Course submittals will be reviewed by the Curriculum Advisory Committee as outlined below.

## Curriculum Advisory Committee and Credits

[WAC 296-15-360](#)

The Curriculum Advisory Committee is made up of two representatives from labor, two representatives from business, and representation from Labor and Industries. Each external representative agrees to serve a two-year term.

The Curriculum Advisory Committee advises the department on the number of credits a course should be given.

The committee reviews all courses submitted for continuing education credit approval. When submitting a course for credit, provide as much documentation as possible so the committee can make a fact-based decision on awarding credit. To ensure review at the monthly committee meeting, documentation must be received by the department no later than the 20<sup>th</sup> of the prior month.

Credits must be earned in areas that enhance the claim administrator's skills ([WAC 296-15-360](#)). A maximum of one credit per hour of training will be awarded if the training meets criteria for approval. Partial credit may be assigned in 0.5 hour increments. No credit will be awarded for increments less than 0.5.